IN THE EMPLOYMENT COURT WELLINGTON

[2010] NZEMPC 5 WRC 31/09

IN THE MATTER OF a challenge to a determination of the

Employment Relations Authority

AND IN THE MATTER OF an application for costs

BETWEEN DIANE ELIZABETH MEENKEN

Plaintiff

AND RIGG ZSCHOKKE LIMITED

First Defendant

AND COMMISSIONER OF INLAND

REVENUE

Second Defendant

Hearing: By memoranda of submissions filed on 21 December 2009

Judgment: 19 January 2010

SUPPLEMENTARY COSTS JUDGMENT OF CHIEF JUDGE G L COLGAN

- [1] By consent I make an order that the plaintiff is to contribute to the first defendant's costs of representation the sum of \$2,000.
- [2] In an attempt to explain how this should be paid and to dispel some confusion on Mrs Meenken's part about this I add the following. An order for costs in litigation is an order of the Court requiring one party to pay a specified sum to another party. It is not a matter of the payee invoicing the payer for services. Payment must be made but may be made in one of several ways as counsel for the first defendant, Ms Aldred, has pointed out. Mrs Meenken may pay the first defendant directly in cash, by cheque or by direct electronic payment into the company's bank account, the details of which Mrs Meenken has. Alternatively, Mrs Meenken may send a cheque made out to Rigg Zschokke Limited to the company's

counsel who will forward it to the company. If Mrs Meenken is concerned about the validity of payment, she may justifiably ask the company to provide her with a form of written receipt for the payment made to it. I can assure Mrs Meenken that resolving questions of costs in litigation and by any of the foregoing means is usual and lawful practice.

G L Colgan Chief Judge

Judgment signed at 1pm on 19 January 2010